

रजिस्टर्ड नं ० फी ०/ए५० एम ० १४.



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, बुधवार, 30 मई, 1984/९ ज्येष्ठ, 1906

हिमाचल प्रदेश सरकार

विधि विभाग

अधिसूचना

शिमला-171002, 30 मई, 1984

क्रमांक एल ० एन ३, ३) ३७/८३--हिमाचल प्रदेश अधीकनचरक श्रोदूस
मार्किट्स (अमैन्डमै. १९८४) १९८४ के विषेषक संयाक (४) जैसा कि राज्यपाल द्वारा
“भारत के संविधान” के अनुच्छेद के अनुसार दिन के १९-५-१९८४ को स्वीकृत किया गया,
को सर्वसंघारण की जानकारी के लिए राजपत्र, हिमाचल प्रदेश में १९८४ का प्रचिनियम
संख्यांक ९ के रूप में प्रकाशित किया जाता है।

बंद प्रकाश भट्टनाथर
सचिव।

Act No. 9 of 1984.

THE HIMACHAL PRADESH AGRICULTURAL PRODUCE MARKETS (AMENDMENT) ACT, 1984

AN

ACT

further to amend the Himachal Pradesh Agricultural Produce Markets Act, 1969 (Act No. 9 of 1970).

Be it enacted by the Legislative Assembly of the Himachal Pradesh in the Thirty-fifth Year of the Republic of India as follows:—

Short title
and com-
mencement.

1. (1) This Act may be called the Himachal Pradesh Agricultural Produce Markets (Amendment) Act, 1984.

(2) It shall come into force at once.

Insertion of
section 32-A.

2. After the existing section 32 of the Himachal Pradesh Agricultural Produce Markets Act, 1969 the following new section 32-A, along with its heading, shall be inserted, namely:—

“32-A. *Laying of the annual and audit reports of the Board.*—(1)

The Board shall prepare once every year, in such form and at such times, as may be prescribed, an annual report, giving a true and full account of its activities during the previous year, and copy thereof shall be forwarded to the State Government.

(2) The accounts of the Board shall be audited annually by the Examiner of the Local Fund Audit or by such other person as the State Government may direct.

(3) As soon as the accounts of the Board are audited, the Board shall send a copy of the audit report to the State Government.

(4) Soon after the submission of the audit report under sub-section (3) and the annual report under sub-section (1) by the Board, the State Government shall cause the said reports to be laid before the State Legislative Assembly:

Provided that when the reports are to be laid in the budget session, those shall be laid on the Table of the House on the first sitting of the said session :

Provided further that the period intervening the close of the financial year to which the reports pertain and the laying of reports, shall not exceed nine months.”

9 of 1970

विधि विभाग

अधिसूचना

शिला-2, 30 मई, 1984

ऋपांक एल 0 एल 0 आर 0-डी 0 (6) 14/84.—हिमाचल प्रदेश मूलिकीपत्र कार्पोरेशन विधेयक, 1984 (1984 का विधेयक संख्यांक 12) जैसा कि राज्यपाल द्वारा “भारत के संविधान के अनुच्छेद के अन्तर्गत दिनांक 26-5-1984 को स्वीकृत किया गया, को सर्वसाधारण की जानकारी के लिए राजपत्र हिमाचल प्रदेश में 1984 का अधिनियम संख्यांक 12 के रूप में प्रकाशित किया जाता है।

वेद प्रकाश भट्टागर,
सचिव।

Act No. 12 of 1984.

THE HIMACHAL PRADESH MUNICIPAL CORPORATION
(AMENDMENT) ACT, 1984

AN

ACT

*further to amend the Himachal Pradesh Municipal Corporation Act, 1979
(Act No. 9 of 1980).*

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Thirty-fifth Year of the Republic of India as follows:—

Short title
and con-
currence.

1. (1) This Act may be called the Himachal Pradesh Municipal Corporation (Amendment) Act, 1984.

(2) It shall come into force at once.

Amendment
of section 5.

2. For sub-section (1) of section 5 of the Himachal Pradesh Municipal Corporation Act, 1979 (hereinafter called the principal Act) the following sub-section shall be substituted, namely:—

“(1) Elected councillor from each municipal ward constituted under section 8 shall be chosen by direct election by the persons who have attained the age of 18 years and whose names are entered in the electoral roll referred to in section 11.”

Substitution
of section 9.

3. For section 9 of the principal Act the following section shall be substituted, namely:—

“9. The Government, may, from time to time by an order published in the Official Gazette, alter or amend any order made under section 8.”

Amendment
of section 13.

4. After clause (a) of sub-section (1) of section 13 of the principal Act, the following new clause shall be inserted, namely:—

“(aa) if he is less than 25 years of age;”.

Insertion of
section 70-A.

5. After section 70 of the principal Act the following section 70-A, along with its heading, shall be inserted, namely:—

“70-A. Power to take over the employees of Municipal Corporation specified in the Third Schedule.—(1) Notwithstanding anything contained in this Act, any other law in force, rules made thereunder and contract executed and orders made, the State Government, if it thinks fit that it is expedient and necessary to do so, may, by notification in the Official Gazette, take over all or any class of employees working in the Municipal Corporation specified in the Third Schedule of the Act.

9 of 1980

(2) Where any class of employees are taken over under sub-section (1), such employees will become the employees of the State Government and shall be entitled to such remuneration and shall be governed by such rules and regulations as are applicable to the employees of the State Government on equivalent post.

(3) Where any class of employees are taken over by the State Government under sub-section (1), they shall be merged with the employees of that Department to which the State Government may order:

Provided that where such employees are so taken over from Municipal Corporation, the corresponding posts in the Municipal Corporation shall be filled in by deputation out of cadre of the Government Department concerned and the expenditure on account of pay and allowances etc. shall be borne by the Municipal Corporation.

(4) Any service rendered by such class of employees under Municipal Corporation before taking over such employees shall be deemed to be service rendered under the State Government:

Provided that where any class of employees are taken over by the State Government under sub-section (1), the employees whose services have been taken over shall be governed by the pensionary regulation as made applicable to Government employees provided they exercise their option to surrender their contribution of contributory fund along with interest thereon which amount will be deposited in their General Provident Fund Account in the Department concerned of the State Government and the share of the Municipal Corporation along with interest thereon shall be credited to the consolidated fund of the State of Himachal Pradesh.

(5) Nothing in sub-sections (1) to (4) shall apply to any employee, who by notice in writing in that behalf to the State Government within a period of two months from the date of such taking over intimates his option for not becoming an employee of the State Government, and where any employee gives such notice, his service under the Municipal Corporation shall stand terminated with effect from such date of taking over, and he shall be entitled to compensation from the Municipal Corporation, which shall be as follows:—

- (a) in the case of a permanent employee, a sum equivalent to his salary (including all allowances) for a period of three months or for the remaining period of his service, whichever is less;
- (b) in the case of a temporary employee, a sum equivalent to his salary (including all allowances) for one month or for the remaining period of his service, whichever is less."

6. After the Second Schedule annexed to the principal Act, the following Third Schedule shall be inserted, namely:—

Insertion of
the Third
Schedule.

"THE THIRD SCHEDULE

(See section 70-A)

Sl. No.	Class of employees
1.	Executive Engineer.
2.	Assistant Engineer.
3.	Junior Engineer.
4.	Market Superintendent."

नियंत्रक, मुद्रण तथा लेखन सामग्री, हिमाचल प्रदेश, शिमला-६. द्वारा मूद्दित तथा प्रकाशित।